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*Lindsay Light II*  
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WRITER'S INFORMATION

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May 4, 2001

**VIA MESSENGER**

Mary L. Fulghum, Esq.  
Associate Regional Counsel  
U.S. Environmental Protection Agency  
Region 5  
77 West Jackson Boulevard  
Chicago, Illinois 60604

EPA Region 5 Records Ctr.



227060

*341 E Ohio*

Re: **GMO Site, Northwest Corner of McClurg Court and East Grand Avenue,  
Chicago, Illinois**

Dear Ms. Fulghum:

Enclosed are four copies of the Removal Action Work Plan dated May 1, 2001 prepared by STS Consultants, Ltd. ("STS") on behalf of our client Teachers' Retirement System of the State of Illinois ("TRS") with respect to the GMO Site. TRS requests that the U.S. Environmental Protection Agency ("USEPA") review and respond to this Work Plan at the earliest opportunity. TRS would like very much to have the excavation work commence during the early to mid-summer of this year so that the excavation work can be completed before the onset of winter freeze conditions. STS has used the Work Plan and other Scoping and Planning Documents previously developed by Kerr-McGee Chemical, LLC ("Kerr-McGee") for the Lindsay Light II site as a model for this Work Plan with some modifications.

The Work Plan provides for the removal action to proceed in two stages, *i.e.* (i) removal initially of the known areas of radiologically contaminated areas over the USEPA radiological cleanup criteria, and (ii) excavation of soils in lifts (and radiological screening of such lifts) on the remainder of the GMO Site (except for a small soil wedge at the site perimeter) to identify any remaining areas of radiological contamination requiring removal based on radiological contamination in excess of the cleanup criteria. TRS understands that this procedure reflects the evolution of removal strategies based on the work previously performed at the two other nearby sites at which removal action has been performed (Lindsay Light II and Lindsay Light II/RV3 North Columbus Drive). TRS proposes to slope the excavation up to the site perimeter so as to avoid the

need for an earth retention system or excavation into the sidewalks or rights of way adjacent to the GMO Site. This will leave a small soil wedge at the site perimeter which will not be excavated in the same fashion as the remainder of the GMO Site. TRS proposes to achieve clearance for this small soil wedge by a program of drilling and soil testing. The Work Plan provides for Kerr-McGee to transport and dispose of radiologically impacted materials at the facility operated by Envirocare of Utah, Inc.

TRS requests the following determinations from USEPA with respect to this Work Plan:

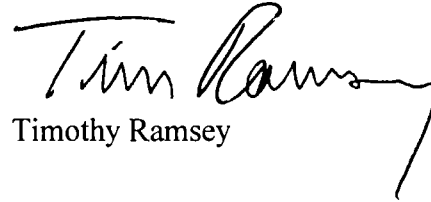
1. Approval of the Work Plan so that TRS can proceed to take the steps to implement the Work Plan on the schedule referred to above and more specifically described in the Work Plan;
2. Confirmation that the work provided in this Work Plan constitutes a time-critical removal action consistent with the National Oil and Hazardous Substances Pollution Contingency Plan at 40 C.F.R. Part 300 and the requirements of the Unilateral Administrative Order, as amended, previously issued to Kerr-McGee and other parties and as supplemented by the Action Memorandum Amendment dated March 1, 2001 issued by USEPA with respect to the GMO Site; and
3. Confirmation that, when the work provided by this Work Plan is completed, USEPA will issue a written determination that (i) all such work has been completed in accordance with this Work Plan, (ii) no further investigation or removal action is required at the GMO Site, (iii) there is no evidence of any radiologically impacted material remaining at the GMO Site and (iv) construction and development work at the GMO Site may proceed without further regulatory requirements relating to radiological impacts.

As you know, TRS has previously submitted to USEPA a request that USEPA recognize TRS as a secured lender for purposes of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA") in view of TRS' acquisition of title to the GMO Site by deeds in lieu of foreclosure with respect to its security interests in the GMO Site. TRS believes that the information in support of that request is strong and convincing. Accordingly, TRS requests that USEPA respond to that request with a favorable determination. In addition, neither TRS' submission of this Work Plan, nor its performance of any of the removal action provided for thereunder, constitutes an admission by TRS that is a responsible party or potentially responsible party with respect to the GMO Site or otherwise has liability under CERCLA or under any other law or legal principle with respect to the environmental conditions at the GMO Site.

Mary L. Fulghum, Esq.  
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We look forward to USEPA's response to this Work Plan in the near future so that this excavation work can be commenced soon. Thank you for your assistance on this matter.

Very truly yours,

  
Timothy Ramsey

JTR:tr

Enclosures

cc: Mr. Terry A. McKay (w/enc.-by messenger)  
Mr. Thomas J. Pabian (w/out enc.-by messenger)  
Steven L. Loren, Esq. (w/out enc.)  
James T. Mayer, Esq. (w/out enc.)  
Christina King Loundy, Esq. (w/out enc.)  
John T. Smith II, Esq. (w/enc.-by Federal Express)